

SENATE BILL NO. 99

INTRODUCED BY J. KEANE

BY REQUEST OF THE FIRE SUPPRESSION COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING STATE AGENCIES TO GRANT PAID LEAVE TO VOLUNTEER FIREFIGHTERS FOR INCIDENT RESPONSE IF CERTAIN REQUIREMENTS ARE MET; AMENDING SECTION 2-18-627, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-18-627, MCA, is amended to read:

"2-18-627. Paid leave for disaster relief volunteer service and volunteer firefighter response to incident. (1) An agency may grant to a state employee up to 15 days in a calendar year of a paid leave of absence for the employee to participate in specialized disaster relief services for the American red cross if:

(a) the employee is a certified American red cross disaster relief volunteer; and

(b) the American red cross has requested the employee's services.

(2) An agency shall grant to a state employee who is a volunteer firefighter for a governmental fire agency organized under Title 7, chapter 33, up to 15 days in a calendar year of a paid leave of absence for the employee to respond to fire incidents if:

(a) the response by the volunteer firefighter was at the request of the governmental fire agency; and

(b) the employee provides verification of the incident and the employee's participation signed by the governmental fire agency's fire chief.

~~(2)~~(3) Leave time granted pursuant to this section:

(a) must be paid at the regular rate of compensation, including regular group, retirement, or leave accrual benefits, for the regular work hours during which the employee is absent from the employee's regular duties;

(b) (i) for the purposes of subsection (1), commences upon approval of the employee's employing agency;

(ii) for the purposes of subsection (2), commences at the time the employee provides notice to the employing agency; and

(c) may not be charged against any other leave to which the employee is entitled.

1 ~~(3)~~(4) For purposes of this section, the following definitions apply:

2 (a) "Agency" has the meaning provided in 2-18-101.

3 (b) "Employee" means any person employed by an agency, except an elected official."

4

5 NEW SECTION. **Section 2. Effective date.** [This act] is effective May 1, 2009.

6 - END -